



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,735	06/20/2005	Philippe Kertesz	4590-426	8615
33308 7590 03/18/2008 LOWE HAUPTMAN & BERNER, LLP 1700 DIAGONAL ROAD, SUITE 300 ALEXANDRIA, VA 22314				
EXAMINER VU, HUNG K				
ART UNIT 2811		PAPER NUMBER		
MAIL DATE 03/18/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/539,735

**Applicant(s)**

KERTESZ ET AL.

**Examiner**

HUNG VU

**Art Unit**

2811

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)  
Paper No(s)/Mail Date 6/20/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election with traverse of Invention of Embodiment 1 of Figures 1-3, Claims 1-10 and 12-16 in the reply filed on 12/14/07 is acknowledged. The traversal is on the ground(s) that all of the claims in this application can be searched and examined together without serious burden. This is not found persuasive because the fields of search for inventions are not coextensive and the strategies for doing text searching of the inventions are different. Thus, separate searches are required.

The requirement is still deemed proper and is therefore made FINAL.

2. Claim 11 is withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 12/14/07.

***Claim Objections***

3. Claim 16 is objected to because of the following informalities: In claim 16, line 3, delete "3", for clarity. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Gilbert et al. (PN 4,551,746).

Gilbert et al. discloses, as shown in Figures 4, 25, 26 and 33, a microwave package delimiting an interior volume, comprising:

- a Faraday cage formed by a conducting surface surrounding the interior volume,
- a connection point (62,64) placed outside the Faraday cage, the connection point being intended to be linked electrically to an exterior circuit,
- an input-output (60,204) passing through the Faraday cage and linked electrically to the connection point,
- a base (lower surface of 58, 128) forming a face of the package, the exterior surface of the base forming a mounting surface intended to be applied to the exterior circuit, the connection point being placed on the mounting surface so as the connection point is placed between the Faraday cage and the exterior circuit when the package is mounted on the exterior circuit [Col. 5, line 67 – Col. 6, line 22].

Regarding claim 2, Gilbert et al. discloses the connection point is linked to the input-output by a straight link, the link being perpendicular to the exterior circuit on which the package is mounted [Figures 4, 25, 26 and 33].

Art Unit: 2811

Regarding claim 3, Gilbert et al. discloses the connection point is formed by a conducting signal ball [Figures 4, 25 and 33].

Regarding claim 4, Gilbert et al. discloses the base is formed at least in part by an insulating material covering at least one conductive layer, the input-output being formed by a metallized hole passing through the insulating material [Figures 4, 16, 25 and 33].

Regarding claim 5, Gilbert et al. discloses the device further comprising a coaxial structure (64) shielding the connection point (62).

Regarding claim 6, Gilbert et al. discloses the coaxial structure is formed by conducting earth balls (64), linked electrically to the Faraday cage, and placed around the signal ball (62).

Regarding claim 7, Gilbert et al. discloses the earth balls placed around the signal ball are at least three in number [Figures 4, 25 and 33].

Regarding claim 8, Gilbert et al. discloses the earth balls placed around the signal ball over 360 [Figures 19-31].

Regarding claim 9, Gilbert et al. discloses a component (51) is placed in the interior volume of the package, the component being carried by a face of the package opposite the face carrying the mounting surface, the face forming a radiator.

Regarding claim 10, Gilbert et al. discloses a mounting comprising a package and a multilayer circuit, the package being mounted on the multilayer circuit, the multilayer circuit comprising at least one conducting earth plane, a metallized hole is made in the multilayer circuit opposite the connection point of the package, so as to convey the signal across the earth plane to a track of the circuit [Figures 4, 25 and 26].

Regarding claim 12, Gilbert et al. discloses the mounting comprising a second conducting earth plane, the two earth planes being on either side of the track [Figures 4, 16, 25 and 33].

Regarding claim 13, Gilbert et al. discloses the conducting earth planes of the circuit are linked together by metallized holes [Figures 4, 16, 25 and 33].

Regarding claim 14, Gilbert et al. discloses the coaxial structure is formed by conducting earth balls (64), linked electrically to the Faraday cage, and placed around the signal ball (62).

Regarding claim 15, Gilbert et al. discloses the earth balls of the package are linked to at least one conducting earth plane of the multilayer circuit [Figures 4, 16, 25 and 33].

Regarding claim 16, Gilbert et al. discloses a component (51) is placed in the interior volume of the package, the component being carried by a wall of the package forming the base carrying the mounting surface [Figures 4, 16, 25 and 33].

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Vu whose telephone number is (571) 272-1666. The examiner can normally be reached on Monday to Thursday 6:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne A. Gurley can be reached on (571) 272 - 1670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vu

March 12, 2008

/Hung Vu/

Primary Examiner

